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Attorney Docket No.: KMC-570

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: :  
: Richard R. Sanchez, et al. : Group Art Unit: 3711  
: Serial No. 10/706,481 : Examiner: Alvin A. Hunter  
: Filed: November 10, 2003 : Conf. No.: 7941

Title: GOLF CLUB WITH SWING BALANCE WEIGHT COVER

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

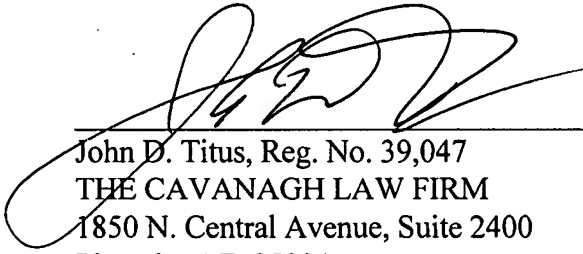
I hereby certify that transmitted herewith for this application are the following item(s):

- (1) This Transmittal Letter;
- (2) Amendment to Brief in Support of Appeal; and
- (3) Postcard, postage prepaid, self-addressed, to confirm receipt

Applicant believes there are no additional fees required for these filings. The Commissioner is hereby authorized to charge any deficiency to Deposit Account No. 50-2173. A duplicate copy of this Transmittal Letter is enclosed.

THE CAVANAGH LAW FIRM

Dated: 8 Aug 2007

  
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Serial No.: 10/706,481

**Transmittal re: Amendment to Brief in Support of Appeal**

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this document (and any as referred to as being attached or enclosed) is being deposited with sufficient postage as first class mail with the United States Postal Service on August 8, 2007 and addressed to Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
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Rosalind E. Smith



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**AMENDMENT TO BRIEF IN SUPPORT OF APPEAL**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed 07/18/2007, and pursuant to MPEP 1205.03(B), Appellants submit the following new summary of claimed subject matter:

**5. SUMMARY OF CLAIMED SUBJECT MATTER:**

Appellant's invention comprises a method of swing-weighting a golf club without the need to maintain a separate inventory of swing-weights for each model of club. Golf clubs are typically swing-weighted to a customer's specifications by the use of swing-weights (typically weighing from 2.5-21.5 grams in one-gram increments), which are attached within a pocket formed on the exterior surface of the club. Since an indication of a golf club's model designation

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is often carried on the swing weight, ordinarily a golf club manufacturer must maintain a separate inventory of approximately nineteen different swing-weights for each model of club, even though the swing weights themselves are the same size and shape irrespective of the club on which they are used.

Appellants' invention eliminates the need to maintain a separate inventory of swing-weights marked with the club's model designation. This is accomplished by providing an inventory of unmarked swing-weights of different masses together with an inventory of swing weight covers marked with the model designation of the club.

Claim 1 and the claims that depend therefrom are directed to a method of assembling a club comprising the steps of:

forming a club head body comprising a hollow body having a face adapted for impacting a golf ball, said club head body further comprising a body surface having a weight cavity formed therein, the weight cavity being defined by a side wall and a bottom wall; [page 4, lines 10-17 and FIG. 2];

providing a plurality of balance weights, each of said plurality of balance weights having an upper surface, a lower surface and a lateral side joining the upper surface and the lower surface; [page 4, lines 18-20];

selecting one of said plurality of balance weights;[page 4, line 20-page 5, line 2];

attaching said one of said plurality of balance weights rigidly to said club head body within the weight cavity; [page 5, line 10-page 6, line 23 and FIG. 2];

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providing a plurality of covers, each of said covers comprising an outer surface, an inner surface and a perimeter wall; [page 5, line 5-page 6, line 23];

selecting one of said plurality of covers; [page 5, line 5-page 6, line 23]; and

attaching said one of said plurality of covers to said club head body so that said cover substantially covers said one of said plurality of balance weights. [page 5, line 5-page 6, line 23].

Claim 11 and the claims that depend therefrom are directed to a resulting golf club, which comprises:

a club head body comprising a hollow body having a face adapted for impacting a golf ball, said club head body further comprising a body surface having a weight cavity formed therein, the weight cavity being defined by a side wall and a bottom wall; [page 4, lines 10-17 and FIG. 2];

a balance weight disposed within said weight cavity and attached rigidly to said club head body, said balance weight selected from a plurality of balance weights, each of said plurality of balance weights having an upper surface, a lower surface and a lateral side joining the upper surface and the lower surface, said plurality of balance weights comprising weights having different masses; [page 5, line 10-page 6, line 23 and FIGS. 2, 4-9]; and

a cover selected from a plurality of covers and attached to said club head body so that said selected cover substantially covers said balance weight, each of said plurality of

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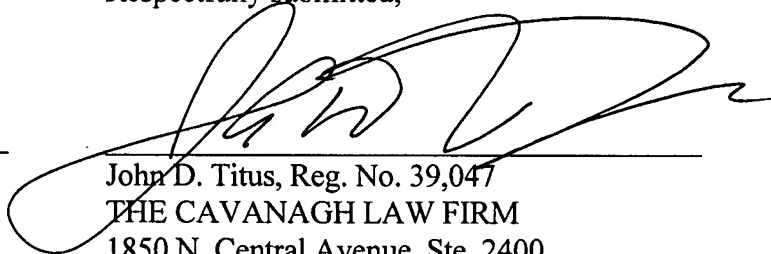
covers having an outer surface, an inner surface and a perimeter wall. [page 5, line 5-  
page 6, line 23 and FIGS. 2, 4-9].

**REMARKS**

In a telephone interview with Examiner A. Hunter, conducted on 7 August 2007 the examiner indicated that the original summary filed with the brief on 15 February 2006 was defective in that the summary failed to include each and every element of the claims on appeal and thus the summary was broader than the scope of the subject matter being claimed. The summary has now been amended to include each and every element of the claims.

Respectfully submitted,

Dated: 8 Aug 2007



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